

From: [Bennett, Tate](#)
To: [Coleman, Sam](#)
Cc: [Gray, David](#); [Falvo, Nicholas](#); [Kelly, Albert](#)
Subject: Re: SJ
Date: Thursday, October 19, 2017 12:49:59 PM

Nice! Thanks all!

Sent from my iPad

On Oct 19, 2017, at 1:44 PM, Coleman, Sam <Coleman.Sam@epa.gov> wrote:

I agree with this response. Add:

"We are using streamlined approaches to expedite the start of construction. EPA wants to work with the PRPs and other stakeholders to move as quickly as possible to remove the waste. "

Samuel Coleman, P. E.,
Deputy Regional Administrator

214.665.2100 Ofc
214.665. 3110 Desk
214.665.2016 Cell

Coleman.sam@epa.gov

Sent from my iPhone

On Oct 19, 2017, at 11:38 AM, Gray, David <gray.david@epa.gov> wrote:

+ Sam

Here are my thoughts – but Sam will need to weigh in.

It can take some time and we are working to expedite it. Sam has asked for special notice letters to go the Potentially Responsible Parties by the end of next week. The letters provide the parties with a copy of the Statement Of Work and starts the negotiations to have them do the work. Superfund law says after the ROD is signed we have to give the PRPs 60 days and cannot begin work ourselves.

Then – if they agree to negotiate and if the site is complicated we can give them up to 120 days to negotiate an agreement. In total - it could be 6 months. After the agreement – there are all types of other plans that have to be completed. We are pretty good at parallel processing them which helps to trim time off the schedule. That said - this is probably the fastest

and also matches the weather conditions when the work could begin anyway. Negotiating and planning during the bad winter and rainy spring months and hopefully start work during the dryer summer months which are good for construction.

If they don't agree – litigation would take longer and I hear it could be more like 2 years.

We are working to expedite all of the required timelines and plan to encourage the Potentially Responsible Parties to work with us on the planned remedy versus litigating. They don't like the ROD but ultimately I think we will be able to show them how it actually works to their long-term benefit. Of course, we won't know until we actually sit down to negotiate.

My quick thoughts.

David

From: Bennett, Tate
Sent: Thursday, October 19, 2017 11:08 AM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>
Cc: Kelly, Albert <kelly.albert@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: Re: SJ

David do you know when we start construction on SJ remedy?

On Oct 19, 2017, at 12:04 PM, Falvo, Nicholas <falvo.nicholas@epa.gov> wrote:

Proposed for listing on NPL on September 19, 2007, and was placed on NPL effective April 18, 2008.
I'm not sure on ROD excavation dates.

From: Bennett, Tate
Sent: Thursday, October 19, 2017 12:01 PM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
Subject: Fwd: SJ

Do you know when SJ was listed and when our rod decision

excavations are planned to take place?

Begin forwarded message:

From: "Gray, David" <gray.david@epa.gov>
Date: October 19, 2017 at 8:31:56 AM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: SJ

Tate,

Good morning. As part of the update for community/local today by Sam and Gary – they will let them know that we will be doing some additional repairs at the site following Hurricane Harvey. We have made it a practice to alert them of our work shortly before we publicly announce it. We will also provide congressional office notifications before the public release. After the meeting - we will issue a press release (draft attached).

Best,

David
214.789.2619